

The State of New Hampshire

Department of Environmental Services



Michael P. Nolin Commissioner

United Natural Foods d/b/a Stow Mills Inc Attn: Ken Clarke 71 Stow Drive Chesterfield, NH 03443

Re: UST ID # 0-113800

WITHDRAWAL OF NOTICE OF PROPOSED ADMINISTRATIVE FINE No. AF 05-009

May 17, 2005

This Withdrawal of Proposed Administrative Fine is issued by the Department of Environmental Services, Waste Management Division ("the Division") to United National Foods. The original Proposed Administrative Fine No. AF 05-009 ("the Notice") was dated January 26, 2005 and sought administrative fines for violations relating to the underground storage facility located at United Natural Foods, 71 Stow Drive in Chesterfield. Subsequently, during an informal meeting with Mr. Ken Clarke representing United Natural Foods, the Division learned that M.B. Maintenance, a contractor hired by Mr. Clarke, had inspected the facility and determined that the audible alarm sensor was installed correctly. The Division thus withdraws the Proposed Action.

This withdrawal shall not be deemed a decision on the merits of the Proposed Action and shall not limit or restrict the remedy or relief that may be sought if additional violations are discovered. Questions regarding this Withdrawal should be directed to Thomas Beaulieu at 603-271-2986 or by e-mail at theaulieu@des.state.nh.us.

Anthony P. Giunta, P.O., Director DES Waste Management Division

cc: Gretchen Hamel, DES Legal Unit
Michael J. Walls, DES Assistant Commissioner
Jennifer J. Patterson, Sr. Asst. Atorney General, NHDOJ/EPB
Public Information Officer, DES PIP Office
Lynn A. Woodard, P.E., WMD UST Supervisor
Thomas R. Beaulieu, WMD UST Chief